

Message Text

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ACTION ARA-17

INFO OCT-01 ADP-00 AID-20 CIAE-00 COME-00 EB-11 FRB-02

INR-10 NSAE-00 RSC-01 TRSE-00 XMB-07 OPIC-12 CIEP-02

LAB-06 SIL-01 OMB-01 AGR-20 DODE-00 PM-09 H-02 L-03

NSC-10 PA-03 PRS-01 SS-15 USIA-12 INT-08 NIC-01 RSR-01

/176 W

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R 121755 Z APR 73

FM AMEMBASSY TEGUCIGALPA

TO SECSTATE WASHDC 4134

INFO AMEMBASSY GUATEMALA

AMEMBASSY MANAGUA

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

USCINCSO

C O N F I D E N T I A L TEGUCIGALPA 1380

USCINCSO FOR POLAD

E. O. 11652: GDS

TAGS: EAGR, ELAB SOCI PINT HO

SUBJECT: LAND REFORM: PROPOSED CHANGES IN IMPLEMENTATION
OF DECREE NO. 8.

REF: (A) TEGUCIGALPA 1109; (B) TEGUCIGALPA 0872

1. SUMMARY: CATTLEMEN AND GOH REPS HAVE AGREED ON SOME
CHANGES IN IMPLEMENTATION OF DECREE NO. 8. WHILE THIS
MAY REDUCE VOCAL PROVIATE SECTOR CRITICISM OF AGRARIAN
REFORM MOVES, IT MAY AROUSE IN TURN SOME LABOR/ CAMPESINO
COMPLAINTS, AND BASIC CONFLICTS REMAIN. END SUMMARY.

2. ON APRIL 10, JOINT COMMISSION OF GOH AND FENAGH
(CATTLEMEN' S ASSOCIATION) REPRESENTATIVES, FORMED AS
RESULT OF FENAGH MEETING WITH GENERAL LOPEZ LAST WEEK,
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SUBMITTED TO LOPEZ RECOMMENDED AMENDMENTS TO REGULATIONS
FOR DECREE NO. 8 (REFTEL B). AMENDMENTS WOULD:

(A) REQUIRE INA (1) TO NOTIFY PROPERTY OWNERS BEFORE
LAND IS INSPECTED FOR DETERMINATION OF CURRENT PRODUCTIVE
USE; (2) TO INCLUDE IN INSPECTION REPORT ANY EVIDENCE
OR CLAIMS PUT FORWARD BY LANDLORDS; (3) TO ENTERTAIN AN
APPEAL OF ITS DECISION, REPEATING ON- SITE INSPECTION
IF NECESSARY.

(B) REWORD DESCRIPTION OF CATEGORIES OF LAND EXEMPTED
FROM FORCED RENTAL TO INCLUDE ALL SECTIONS OF A
PROPERTY WHICH ARE DEVOTED TO CATTLE RAISING AND ON
WHICH 75 PERCENT OR MORE VEGETATION COVER IS FORAGE,
REGARDLESS OF THE FORAGE RATIOS ON OTHER PARTS OF SAME
PROPERTY. (PREVIOUS WORDING MIGHT HAVE ALLOWED INA TO
" AVERAGE" FORAGE RATIOS ON DIFFERENT PARTS OF A GIVEN
PROPERTY AND, WHERE RESULTING FIGURE FELL BELOW 75 PERCENT,
TO DECLARE AS RENTABLE WHOLE EXTENSION RATHER THAN JUST
THOSE PARTS THAT DID NOT MEET PASTURELAND CRITERIA.)

(C) ADD TO EXEMPTED CATEGORIES THOSE AREAS FOR WHICH
IT IS ESTABLISHED THAT FINANCING IS AVAILABLE AND
DEVELOPMENT WORK HAS BEEN " INITIATED."

(D) PROVIDE, AT END OF TEMPORARY RENTAL PERIOD, FOR
LANDLORDS TO PAY THROUGH INA RATHER THAN DIRECTLY
TO CAMPESINOS COST OF IMPROVEMENTS LATTER MAY HAVE MADE
ON LAND.

(E) REQUIRE SPECIFIC TERMINAL DATE, NO LATER THAN
JANUARY 15, 1975, ON ALL DECREE NO. 8 RENTAL CONTRACTS;
DATES WILL, HOWEVER, BE CONSIDERED AS EXTENDED FOR TIME
NECESSARY TO BRING IN CROPS READY FOR HARVEST. ONCE LANDLORDS
HAVE PAID FOR IMPROVEMENTS (ABOVE), INA WILL BE
" OBLIGATED" TO RETURN PROPERTY WITHIN 30 DAYS OF
CONTRACT EXPIRATION.

2. FENAGH IS REPORTEDLY SATISFIED OVER DRAFT AMENDMENTS
WORKED OUT IN JOINT COMMISSION AND, SINCE SIGNERS OF
RECOMMENDATIONS INCLUDED GENERAL LOPEZ' PERSONALLY
DESIGNATED REPS INA DIRECTOR PONCE AND MINFINANCE ACOSTA,
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PROBABLY ASSUMES CHANGES WILL BE ACCEPTED BY CHIEF OF

STATE. PEASANT ASSOCIATION ANACH HAS NOT YET REACTED FORMALLY, BUT ITS PRESIDENT REYES RODRIGUEZ HAS EXPRESSED SUSPICION OF ANYTHING THAT " SATISFIES" CATTLEMEN, AND ANACH MET APRIL 11 WITH LABOR ALLIES TO PREPARE FORMAL LABOR CONFEDERATION (CTH) POSITION, NOT YET MADE PUBLIC.

3. COMMENT: IN CONVERSATION WITH AMBASSADOR APRIL 9, GENERAL LOPEZ SAID LACK OF COMMUNICATION BETWEEN INA AND FENAGH HAD BEEN ONE OF BIGGEST PROBLEMS IN IMPLEMENTING DECREE NO. 8. MEETINGS OF " JOINT COMMISSION", SET UP AT LOPEZ' DIRECTION, MAY HAVE IMPROVED THIS. LOPEZ ALSO INDICATED, HOWEVER, THAT MANY CATTLEMEN ARE USING GOVERNMENT LAND AND, EVEN WHEN THEY DO HAVE CLEAR TITLE, MOST ARE UNWILLING TO MAKE THE INVESTMENT NEEDED TO PROPERLY EXEMPT THEIR PROPERTIES FROM RESETTLEMENT (OR EVENTUAL REDISTRIBUTION) UNDER THE LAW. THUS, THE BASIC ELEMENTS OF CONFLICTING INTEREST REMAIN. INDEED, IN THE UNOFFICIAL STATEMENTS OF FENAGH MEMBERS IT HAS BEEN CLEAR THAT BEYOND THEIR TECHNICAL ARGUMENTS ON LAND USE AND COMPLAINTS OF FAULTY INA INSPECTION PROCEDURES, TO WHICH THE PROPOSED AMENDMENTS SEEM DIRECTED, THEY ARE FAR FROM RECONCILING THEMSELVES TO ANY REGULATION OR REDUCTION OF LAND PRESENTLY UNDER THEIR CONTROL.

FOR ITS PART, THE CTH MAY SEE THE APPARENTLY REASONABLE PROVISIONS OF THE NEW AMENDMENTS AS PROVIDING UNACCEPTABLE LOOPHOLES FOR LANDOWNERS DELAYING TACTICS (ADMINISTRATIVE APPEAL) OR FOR EXCLUSION FROM PURVIEW OF DECREE NO. 8 OF LARGE AREAS OF CURRENTLY UNUSED LAND (ON GROUNDS EFFORTS TO DEVELOP " HAVE BEEN INITIATED.")

RYAN

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